

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

In re:

AUDREY FLEMING,

Debtor.

No. 7-09-10894-M

ORDER ABANDONING CERTAIN PROPERTY OF THE ESTATE

THIS MATTER came before the Court on April 29, 2009, at 10:30 a.m. on Creditor Sierra Holdings, LLC's Motion For Order Requiring The Trustee To Abandon Property Of The Estate ("Motion") [Docket No. 18] with Creditor Sierra Holdings, LLC, ("Creditor"), appearing through its counsel Scott & Kienzle, P.A. (Paul M. Kienzle III), and Trustee Robert L. Finch appearing, pro se.

IT IS THEREFORE ORDERED THAT:

1. The Motion was noticed to all creditors and the matrix.
2. The Trustee objected. Debtor did not object. No other creditor or interested party responded to the Motion.
3. Debtor is not receiving and shall not receive any remuneration from any person or entity as a result of this abandonment.
4. Trustee has done adequate due diligence regarding the property at issue.
5. The property of the estate abandoned is interests in Fuddruckers restaurant franchises, a franchise agreement concerning Fuddruckers restaurants, an Assignment Agreement concerning Fuddruckers restaurants, beer and wine licenses, and other Fuddruckers restaurant related assets.

6. The property described above is burdensome to the estate and is of inconsequential value and benefit to the estate.

7. Pursuant to 11 U.S.C. §554, the property described above is abandoned and is no longer property of the estate, and the Trustee has no further equitable or legal interest in the property described above.



UNITED STATES BANKRUPTCY COURT JUDGE

Entered on Docket Date: 05/01/09

Submitted by:

SCOTT & KIENZLE, P.A.

By: Submitted Electronically 4/30/2009

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Approved by:

Approved via email 4/30/2009
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